

Message Text

CONFIDENTIAL

PAGE 01 USBERL 00449 081312Z

44

ACTION EUR-12

INFO OCT-01 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00 CIAE-00

DODE-00 PM-03 H-02 INR-07 L-02 NSAE-00 NSC-05 PA-01

PRS-01 SP-02 SS-15 SCCT-01 SY-05 JUSE-00 USSS-00 IO-10

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FM USMISSION USBERLIN

TO AMEMBASSY BONN IMMEDIATE

INFO SECSTATE WASHDC 0602

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION NATO

C O N F I D E N T I A L USBERLIN 0449

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, GW

SUBJECT: PARTICIPATION OF FEDERAL PROSECUTOR IN LORENZ CASE

REFS: A) BONN 3866; B) USBERLIN 432 (NOTAL); C) BONN 5866

1. FOLLOWING MEETING OF ALLIED MINISTERS EVENING
MARCH 6, FRENCH (IN CHAIR) TOOK INITIATIVE TO OBTAIN
CLARIFICATIONS FROM SENAT ON ROLE OF FEDERAL PROSECUTOR
IN LORENZ INVESTIGATION. SENAT PROVIDED ASSURANCES
THAT THEY WERE NOW FULLY AWARE OF NEED TO PRESENT
PROPER PUBLIC POSTURE ON POTENTIALLY SENSITIVE ISSUE
AND THAT ANY ROLE PLAYED BY FEDERAL PROSECUTOR'S
OFFICE WOULD HENCEFORTH BE MORE LOW-KEY. SPECIFICALLY,
BERLIN PROSECUTOR AND BERLIN POLICE WOULD MAINTAIN
CONTROL OF INVESTIGATION. THERE IS AT PRESENT NO
PARTICIPATION BY FEDERAL PROSECUTOR IN BERLIN INVESTI-
GATION, AND FEDERAL PROSECUTOR, FRG JUSTICE MINISTER,
AND BERLIN SENATOR FOR JUSTICE KORBER HAVE AGREED THERE
IS NO NEED TO MAKE DECISION ON ESTABLISHMENT OF FEDERAL
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PAGE 02 USBERL 00449 081312Z

ROLE IN CONNECTION WITH ANY PROSECUTIONS UNTIL BERLIN

INVESTIGATION HAS BEEN COMPLETED. SENAT ALSO AGREED TO ATTEMPT TO CORRECT INITIAL IMPRESSION OF FRG CONTROL OF INVESTIGATION REFLECTED IN EARLY PRESS REPORTS. FRENCH ALSO ADVISED SENAT THAT ALLIES EXPECTED PUBLIC USE WOULD BE MADE OF JUSTICE MINISTER VOGEL'S STATEMENT.

2. ACCORDINGLY, STATEMENT VERY CLOSE TO THAT CONTAINED PARA 2 OF BONN 3866 WAS ISSUED BY SENAT MARCH 7. WE HAVE NOT NOTED COVERAGE OF FULL STATEMENT IN LOCAL PRESS, BUT TAGESSPIEGEL ARTICLE MARCH 8 CARRIED FOLLOWING: BEGIN TEXT: SENATOR FOR JUSTICE KORBER YESTERDAY EMPHASIZED THAT THE INVESTIGATIONS INTO THE ABDUCTION OF PETER LORENZ ARE BEING DIRECTED BY THE OFFICE OF THE STATE ATTORNEY OF THE BERLIN LANDESGERICHT. THE WORKING GROUP FORMED FOR THIS PURPOSE IS NOT UNDER THE SUPERVISION OF FEDERAL ATTORNEY GENERAL BUBACK. THE LATTER CAME TO BERLIN TO INFORM HIMSELF ABOUT THE POLICE MEASURES UNDERTAKEN HERE AND ALSO CONFERRED WITH THE SENATOR AS WELL AS STATE ATTORNEY DEHNICKE ABOUT THE PROCESS OF THE INVESTIGATIONS. THE INVESTIGATIONS OF THE KIDNAPPING IN BERLIN MUST BE DISTINGUISHED FROM PROCEEDINGS INITIATED BY THE FEDERAL PROSECUTOR GENERAL WITH RESPECT TO THE COERCION (NOETIGUNG) OF THE CONSTITUTIONAL ORGANS OF THE LAENDER NORTH RHINE-WESTPHALIA, HESSE AND BAVARIA. END TEXT: GEORGE

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